

**LEWIS
AND
ROCA**
LLP
LAWYERS

E-Filed on 10/29/09

3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169-5996
Facsimile (702) 949-8321
Telephone (702) 949-8320

Rob Charles NV State Bar No. 006593
Email: rcharles@lrlaw.com
John Hinderaker AZ State Bar No. 018024
Email: jhinderaker@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,¹

USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND,
LLC,²

USA SECURITIES, LLC,³

Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR¹
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR²
Case No. BK-S-06-10729-LBR³

CHAPTER 11

Jointly Administered Under Case No. BK-S-
06-10725 LBR

**NOTICE OF HEARING AND
CERTIFICATE OF SERVICE**

Hearing Date: December 18, 2009
Hearing Time: 1:30 p.m.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

**THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM
THAT YOU FILED. The USACM Trust seeks to disallow your claims.**

¹ This bankruptcy case was closed on September 23, 2008.

² This bankruptcy case was closed on October 12, 2007.

³ This bankruptcy case was closed on December 21, 2007.

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PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY COURT TO DISCUSS THE MERITS OF YOUR CLAIM. QUESTIONS REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM SHOULD BE DIRECTED TO BRANT FYLLING AT SIERRA GROUP CONSULTING, LLC (602-424-7009) OR TO THE UNDERSIGNED COUNSEL. IF YOU HAVE DOCUMENTATION TO SUPPORT YOUR CLAIM SUPPLY IT TO UNDERSIGNED COUNSEL WITHOUT DELAY.

NOTICE IS HEREBY GIVEN that the USACM Liquidating Trust by and through its counsel, has filed an Objection of USACM Liquidating Trust to Proof of Claim No. 10725-001167 filed by Barry J. and Patricia Goldstein and Proof of Claim No. 10725-01663 filed by Capital Mortgage Investors, Inc., for Lack of Documentation (the “Objection”). The USACM Trust respectfully requests that the Court enter an order pursuant to § 502 of title 11 of the United States Code (the “Bankruptcy Code”) disallowing your claims against USACM.

NOTICE IS FURTHER GIVEN that the hearing on the Objection will be held before the Honorable Linda B. Riegler, U.S. Bankruptcy Court Judge in the Foley Federal Building, 300 Las Vegas Blvd. South, 3rd Floor, Courtroom No. 1, Las Vegas, Nevada on **December 18, 2009, at the hour of 1:30 p.m.**

NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON DECEMBER 18, 2009, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE HEARD ON THAT DATE.

NOTICE IS FURTHER GIVEN that any response to the Objection must be filed by **December 11, 2009,** pursuant to Local Rule 3007(b), which states:

If an objection to a claim is opposed, a written response must be filed and served on the objecting party at least 5 business days before the scheduled hearing. A response is deemed sufficient if it states that written

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documentation in support of the proof of claim has already been provided to the objecting party and that the documentation will be provided at any evidentiary hearing or trial on that matter.

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the Court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the Court, or if you do not serve your written response on the person who sent you this notice, then:

- The Court may *refuse to allow you to speak* at the scheduled hearing; and
- The Court may *rule against you* and sustain the objection without formally calling the matter at the hearing.

Dated: October 29, 2009.

LEWIS AND ROCA LLP

By: /s/ John Hinderaker (# 18024)

Rob Charles, NV 6593

John C. Hinderaker, AZ 18024 (*pro hac vice*)

3993 Howard Hughes Parkway, Suite 600

Las Vegas, Nevada 89169-5996

Facsimile (702) 949-8321

Telephone (702) 949-8320

E-mail: rcharles@lrlaw.com

E-mail: jhinderaker@lrlaw.com

Attorneys for the USACM Liquidating Trust

Copy of the foregoing mailed by first class Postage prepaid U.S. mail or e-mailed on October 29, 2009 to:

Jeffrey S. Berlowitz, Esquire
Phillips, Cantor & Berlowitz, P.A.
Attorneys for Goldstein and Capital Mortgage Investors, Inc.
4000 Hollywood Blvd., Suite 375-South
Hollywood, FL 33021
e-mail: jberlowitz@phillipslawyers.com

/s/ Leilani Lista
Lewis and Roca LLP